

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 462

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

AN ACT

RELATING TO PUBLIC FINANCE; AUTHORIZING AND REQUIRING THE
ISSUANCE OF SEVERANCE TAX BONDS; RESTORING FUNDING TO PUBLIC
SCHOOLS BY REPEALING LAWS 2017, CHAPTER 3, SECTION 2 PERTAINING
TO THE REDUCTION OF SCHOOLS' CASH BALANCES AND REPLACING THAT
SOLVENCY MEASURE WITH ONE THAT CHANGES PURPOSES AND
AUTHORIZATIONS FOR THE EXPENDITURE OF SUPPLEMENTAL SEVERANCE
TAX BOND PROCEEDS AND THAT AUTHORIZES THE ISSUANCE OF SEVERANCE
TAX BONDS AND SUPPLEMENTAL SEVERANCE TAX BONDS; SUSPENDING A
PORTION OF THE SEVERANCE TAX BONDING CAPACITY ALLOCATION FOR
WATER INFRASTRUCTURE PROJECTS; PROVIDING FOR TRANSFERS TO THE
GENERAL FUND FROM OTHER FUNDS AND ACCOUNTS; MAKING
APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT-TERM SUPPLEMENTAL SEVERANCE TAX BONDS--

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1 APPROPRIATION OF PROCEEDS.--To compensate for the general fund
2 revenue loss effected by Sections 8 and 35 of this act, in
3 fiscal year 2017, the state board of finance shall, in
4 compliance with the Severance Tax Bonding Act, issue and sell
5 supplemental severance tax bonds whose terms end on or before
6 the end of the fiscal year in an aggregate amount not to exceed
7 forty-six million one hundred thousand dollars (\$46,100,000)
8 when the secretary of finance and administration certifies the
9 need for the bonds. The state board of finance shall issue and
10 sell the bonds as expeditiously and economically as possible
11 and take the appropriate steps necessary to comply with the
12 federal Internal Revenue Code of 1986, as amended. Proceeds
13 from the sale of the bonds are appropriated to the general
14 fund. The board of finance division of the department of
15 finance and administration shall transfer the proceeds to the
16 general fund for use by the department in fiscal year 2017 to
17 restore the allotments from the general fund for capital
18 project appropriations whose expenditure periods end on or
19 before June 30, 2016.

20 SECTION 2. SEVERANCE TAX BONDS--APPROPRIATION OF
21 PROCEEDS.--To compensate for the general fund revenue loss
22 effected by Sections 8 and 35 of this act, in fiscal year 2017,
23 the state board of finance shall, in compliance with the
24 Severance Tax Bonding Act, issue and sell severance tax bonds
25 in the amount of forty-six million one hundred thousand dollars

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1 (\$46,100,000). Upon certification by the public school capital
 2 outlay council that the need exists for the issuance of the
 3 bonds, the state board of finance shall issue and sell the
 4 bonds as expeditiously and economically as possible and take
 5 the appropriate steps necessary to comply with the federal
 6 Internal Revenue Code of 1986, as amended. Proceeds from the
 7 sale of the bonds are appropriated to the public school capital
 8 outlay fund for use by the public school capital outlay council
 9 to implement the Public School Capital Outlay Act and are
 10 appropriated for expenditure in fiscal years 2018 through 2022.
 11 Notwithstanding the provisions of Subsection A of Section
 12 22-24-4 NMSA 1978 to the contrary, the unexpended or
 13 unencumbered balance remaining at the end of fiscal year 2022
 14 shall revert to the severance tax bonding fund.

15 SECTION 3. Section 7-27-10.1 NMSA 1978 (being Laws 2003,
 16 Chapter 134, Section 1, as amended) is amended to read:

17 "7-27-10.1. BONDING CAPACITY--AUTHORIZATION FOR SEVERANCE
 18 TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL
 19 INFRASTRUCTURE PROJECTS.--

20 A. By January 15 of each year, the division shall
 21 estimate the amount of bonding capacity available for severance
 22 tax bonds to be authorized by the legislature.

23 B. For each year except 2017, the division shall
 24 allocate nine percent of the estimated bonding capacity each
 25 year for water projects, and the legislature authorizes the

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1 state board of finance to issue severance tax bonds in the
2 annually allocated amount for use by the water trust board to
3 fund water projects statewide. The water trust board shall
4 certify to the state board of finance the need for issuance of
5 bonds for water projects. The state board of finance may issue
6 and sell the bonds in the same manner as other severance tax
7 bonds in an amount not to exceed the authorized amount provided
8 for in this subsection. If necessary, the state board of
9 finance shall take the appropriate steps to comply with the
10 federal Internal Revenue Code of 1986, as amended. Proceeds
11 from the sale of the bonds are appropriated to the water
12 project fund in the New Mexico finance authority for the
13 purposes certified by the water trust board to the state board
14 of finance.

15 C. The division shall allocate the following
16 [~~percentages~~] percentage of the estimated bonding capacity for
17 tribal infrastructure projects:

- 18 (1) in 2016, six and one-half percent; and
19 (2) in 2017 and each subsequent year, four and
20 one-half percent.

21 D. The legislature authorizes the state board of
22 finance to issue severance tax bonds in the amount [~~allocated~~
23 ~~pursuant to~~] provided for in this section for use by the tribal
24 infrastructure board to fund tribal infrastructure projects.
25 The tribal infrastructure board shall certify to the state

1 board of finance the need for issuance of bonds for tribal
2 infrastructure projects. The state board of finance may issue
3 and sell the bonds in the same manner as other severance tax
4 bonds in an amount not to exceed the authorized amount provided
5 for in this [~~subsection~~] section. If necessary, the state
6 board of finance shall take the appropriate steps to comply
7 with the federal Internal Revenue Code of 1986, as amended.
8 Proceeds from the sale of the bonds are appropriated to the
9 tribal infrastructure project fund for the purposes certified
10 by the tribal infrastructure board to the state board of
11 finance.

12 E. Money from the severance tax bonds provided for
13 in this section shall not be used to pay indirect project
14 costs. Any unexpended balance from proceeds of severance tax
15 bonds issued for a water project or a tribal infrastructure
16 project shall revert to the severance tax bonding fund within
17 six months of completion of the project. The New Mexico
18 finance authority shall monitor and ensure proper reversions of
19 the bond proceeds appropriated for water projects, and the
20 department of finance and administration shall monitor and
21 ensure proper reversions of the bond proceeds appropriated for
22 tribal infrastructure projects.

23 F. As used in this section:

24 (1) "division" means the board of finance
25 division of the department of finance and administration;

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1 (2) "tribal infrastructure project" means a
2 qualified project under the Tribal Infrastructure Act; and

3 (3) "water project" means a capital outlay
4 project for:

5 (a) the storage, conveyance or delivery
6 of water to end users;

7 (b) the implementation of federal
8 Endangered Species Act of 1973 collaborative programs;

9 (c) the restoration and management of
10 watersheds;

11 (d) flood prevention; or

12 (e) conservation, recycling, treatment
13 or reuse of water."

14 SECTION 4. SEVERANCE TAX BOND PROCEEDS--2017 ALLOCATION
15 FOR WATER RIGHTS ADJUDICATION--APPROPRIATION.--

16 A. The board of finance division of the department
17 of finance and administration shall, for 2017, allocate that
18 percentage of estimated severance tax bonding capacity for 2017
19 equal to the amount defined in Subsection B of this section to
20 the agencies and for the purposes listed in Subsection C of
21 this section. The state board of finance shall issue and sell
22 severance tax bonds in that amount as expeditiously and
23 economically as possible and take the appropriate steps
24 necessary to comply with the federal Internal Revenue Code of
25 1986, as amended.

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1 B. The percentage of estimated bonding capacity for
2 2017 allocated and the amount of severance tax bonds issued in
3 accordance with Subsection A of this section is equal to the
4 difference between:

5 (1) the amount the state engineer and the
6 administrative office of the courts would receive in fiscal
7 year 2018 in accordance with Section 72-4A-9 NMSA 1978 if nine
8 percent of severance tax bonding capacity were allocated for
9 water projects in 2017; and

10 (2) the amount dedicated in fiscal year 2018
11 in accordance with Section 72-4A-9 NMSA 1978 to the state
12 engineer and to the administrative office of the courts.

13 C. Proceeds from the sale of the bonds issued in
14 accordance with Subsection A of this section are appropriated
15 for expenditure in fiscal year 2018 and subsequent fiscal years
16 as follows:

17 (1) eighty percent to the state engineer for
18 water rights adjudications; and

19 (2) twenty percent to the administrative
20 office of the courts for the courts' costs associated with
21 those adjudications.

22 **SECTION 5. TRANSFERS TO GENERAL FUND--FISCAL YEAR 2017.--**

23 A. Notwithstanding the prerequisite for
24 authorization by the state board of finance set forth in
25 Subsection B of Section 15-3B-17 NMSA 1978, six million dollars

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1 (\$6,000,000) is transferred from the capitol buildings repair
2 fund to the general fund for use by the department of finance
3 and administration in fiscal year 2017 to restore the
4 allotments from the general fund for appropriations whose
5 expenditure periods end on or before June 30, 2016 and whose
6 purposes the law allows for use of money in the capitol
7 buildings repair fund.

8 B. Notwithstanding any restriction on the use of
9 money from the source, the following amounts are appropriated
10 from the following funds or accounts and are transferred to the
11 fiscal year 2017 appropriation account of the general fund:

12 (1) sixteen thousand eight hundred eighty-
13 eight dollars (\$16,888) from the discount prescription drug
14 program fund;

15 (2) eight hundred eight thousand dollars
16 (\$808,000) from the property control reserve fund;

17 (3) ninety-one thousand seven hundred forty-
18 five dollars (\$91,745) from the pharmacy fund;

19 (4) fifty thousand dollars (\$50,000) from the
20 board of dental health care fund;

21 (5) forty-three thousand two hundred dollars
22 (\$43,200) from the construction industries publications fund;

23 (6) seventeen thousand five hundred dollars
24 (\$17,500) from the interior design board fund;

25 (7) one thousand three hundred eighty-seven

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1 dollars (\$1,387) from the insurance examination fund;
2 (8) eight thousand dollars (\$8,000) from the
3 board of nursing fund;
4 (9) one hundred forty thousand two hundred
5 dollars (\$140,200) from the radiologic technology fund;
6 (10) eighty-five thousand dollars (\$85,000)
7 from the solid waste facility grant fund;
8 (11) thirty thousand dollars (\$30,000) from
9 the voluntary remediation fund;
10 (12) seventy-eight thousand nine hundred
11 dollars (\$78,900) from the teacher professional development
12 fund;
13 (13) forty-six thousand three hundred dollars
14 (\$46,300) from the incentives for school improvement fund;
15 (14) fourteen thousand two hundred dollars
16 (\$14,200) from the charter schools stimulus fund;
17 (15) fourteen thousand two hundred dollars
18 (\$14,200) from the educational technology fund;
19 (16) one thousand one hundred dollars (\$1,100)
20 from the family and youth resource fund; and
21 (17) one hundred thirty-nine thousand nine
22 hundred dollars (\$139,900) from the higher education program
23 development enhancement fund.

24 **SECTION 6.** Section 7-27-12 NMSA 1978 (being Laws 1961,
25 Chapter 5, Section 10, as amended by Laws 2001, Chapter 37,

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1 Section 1 and by Laws 2001, Chapter 338, Section 1) is amended
2 to read:

3 "7-27-12. WHEN SEVERANCE TAX BONDS TO BE ISSUED.--

4 A. The state board of finance shall issue and sell
5 all severance tax bonds when authorized to do so by any law
6 that sets out the amount of the issue and the recipient of the
7 money.

8 B. The state board of finance shall also issue and
9 sell severance tax bonds authorized by Sections 72-14-36
10 through 72-14-42 NMSA 1978, and such authority as has been
11 given to the interstate stream commission to issue and sell
12 such bonds is transferred to the state board of finance. The
13 state board of finance shall issue and sell all severance tax
14 bonds only when so instructed by resolution of the governing
15 body or by written direction from an authorized officer of the
16 recipient of the bond money.

17 C. Except as provided in Subsection D of this
18 section, proceeds from supplemental severance tax bonds shall
19 be used only for public school capital outlay projects pursuant
20 to the Public School Capital Outlay Act or the Public School
21 Capital Improvements Act.

22 D. Proceeds from supplemental severance tax bonds
23 issued pursuant to Paragraph (2) of Subsection A of Section 19
24 of Chapter 6 of Laws 1999 (1st S.S.) and Section 1 of this 2017
25 act shall be used for the purposes specified in [~~that~~

1 ~~paragraph]~~ those provisions.

2 E. Except as provided in Subsection F of this
3 section, the state board of finance shall issue and sell all
4 supplemental severance tax bonds when so instructed by
5 resolution of the public school capital outlay council pursuant
6 to Section 7-27-12.2 NMSA 1978.

7 F. The state board of finance shall issue and sell
8 the supplemental severance tax bonds authorized by:

9 (1) Paragraph (2) of Subsection A of Section
10 19 of Chapter 6 of Laws 1999 (1st S.S.) when so instructed by
11 resolution of the [~~commission on~~] higher education department;
12 and

13 (2) Section 1 of this 2017 act upon
14 certification by the secretary of finance and administration of
15 the need to use proceeds from those bonds as outlined in that
16 section."

17 SECTION 7. Section 15-3B-17 NMSA 1978 (being Laws 1972,
18 Chapter 74, Section 4, as amended) is amended to read:

19 "15-3B-17. CAPITOL BUILDINGS REPAIR FUND--CREATION--
20 EXPENDITURES.--

21 A. The "capitol buildings repair fund" is created
22 in the state treasury. To this fund shall be transferred,
23 after payments required by Laws 1997, Chapter 178, Section 1 to
24 the New Mexico finance authority, all income, including
25 distributions from the land grant permanent fund derived from

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1 lands granted to the state by the United States congress for
2 legislative, executive and judicial public buildings. Two
3 percent of this fund shall be transferred annually to a "state
4 capitol maintenance fund", hereby created, as a special
5 perpetual fund for the upkeep and maintenance of the capitol
6 renovation and capitol grounds.

7 B. The capitol buildings repair fund may be used to
8 repair, remodel and equip capitol buildings and adjacent lands,
9 to repair or replace building machinery and building equipment
10 located in capitol buildings and to contract for options, no
11 one of which costs more than ten thousand dollars (\$10,000), to
12 purchase real estate [~~such real estate, if purchased~~] to be put
13 to state use [~~provided that no more than ten thousand dollars~~
14 ~~(\$10,000) shall be expended for any single option~~]. Any money
15 used for consideration in acquiring an option to purchase real
16 estate shall be applied against the purchase price of the real
17 estate if the option is exercised. Except as provided in
18 Subsection A of Section 5 of this 2017 act, no money shall be
19 expended from the capitol buildings repair fund without
20 authorization of the state board of finance.

21 C. In the event a capital outlay project exceeds
22 authorized project cost by five percent or less, the state
23 board of finance may authorize the division to supplement the
24 authorized cost by an allocation not to exceed five percent of
25 the authorized cost from the capitol buildings repair fund to

1 the extent of the unencumbered and unexpended balance of the
2 fund."

3 SECTION 8. Section 22-8-41 NMSA 1978 (being Laws 1967,
4 Chapter 16, Section 99, as amended by Laws 2017, Chapter 3,
5 Section 1) is amended to read:

6 "22-8-41. RESTRICTION ON OPERATIONAL FUNDS--EMERGENCY
7 ACCOUNTS--CASH BALANCES.--

8 A. A school district shall not expend money from
9 its operational fund for the acquisition of a building site or
10 for the construction of a new structure, unless the school
11 district has bonded itself to practical capacity or the
12 secretary determines and certifies to the legislative finance
13 committee that the expending of money from the operational fund
14 for this purpose is necessary for an adequate public
15 educational program and will not unduly hamper the school
16 district's current operations.

17 B. A school district or charter school may budget
18 out of cash balances carried forward from the previous fiscal
19 year an amount not to exceed five percent of its proposed
20 operational fund expenditures for the ensuing fiscal year as an
21 emergency account. Money in the emergency account shall be
22 used only for unforeseen expenditures incurred after the annual
23 budget was approved and shall not be expended without the prior
24 written approval of the secretary.

25 C. In addition to the emergency account, school

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1 districts or charter schools may also budget operational fund
2 cash balances carried forward from the previous fiscal year for
3 operational expenditures, exclusive of salaries and payroll,
4 upon specific prior approval of the secretary. The secretary
5 shall notify the legislative finance committee in writing of
6 the secretary's approval of such proposed expenditures.

7 ~~[D. Notwithstanding any provision of this section~~
8 ~~to the contrary, the secretary shall reduce school districts'~~
9 ~~and charter schools' fiscal year 2017 state equalization~~
10 ~~guarantee distributions as credit for excess fiscal year 2016~~
11 ~~operational fund cash balances in accordance with Section 2 of~~
12 ~~this 2017 act, and a school district or charter school whose~~
13 ~~distribution is accordingly reduced shall apply in the amount~~
14 ~~of that credit its audited fiscal year 2016 operational fund~~
15 ~~cash balance toward the school district's or charter school's~~
16 ~~fiscal year 2017 operations.]"~~

17 SECTION 9. SEVERANCE TAX BONDS--AUTHORIZATIONS--
18 APPROPRIATION OF PROCEEDS.--

19 A. The state board of finance may issue and sell
20 severance tax bonds in compliance with the Severance Tax
21 Bonding Act in an amount not to exceed the total of the amounts
22 authorized for purposes specified in Sections 11 through 27 of
23 this act. The state board of finance shall schedule the
24 issuance and sale of the bonds as expeditiously and
25 economically as possible upon a finding by the board that the

1 project has been developed sufficiently to justify the issuance
2 and that the project can proceed to contract within a
3 reasonable time. The state board of finance shall further take
4 the appropriate steps necessary to comply with the federal
5 Internal Revenue Code of 1986, as amended. Proceeds from the
6 sale of the bonds are appropriated for the purposes specified
7 in Sections 11 through 27 of this act.

8 B. The agencies named in Sections 11 through 27 of
9 this act shall certify to the state board of finance when the
10 money from the proceeds of the severance tax bonds appropriated
11 in this section is needed for the purposes specified in the
12 applicable section of Sections 11 through 27 of this act. If
13 an agency has not certified the need for severance tax bond
14 proceeds for a particular project by the end of fiscal year
15 2019, the authorization for that project is void.

16 C. Before an agency may certify for the need of
17 severance tax bond proceeds, the project must be developed
18 sufficiently so that the agency reasonably expects to:

19 (1) incur within six months after the
20 applicable bond proceeds are available for the project a
21 substantial binding obligation to a third party to expend at
22 least five percent of the bond proceeds for the project; and

23 (2) spend at least eighty-five percent of the
24 bond proceeds within three years after the applicable bond
25 proceeds are available for the project.

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1 D. Except as otherwise specifically provided by
2 law:

3 (1) the unexpended balance from the proceeds
4 of severance tax bonds appropriated in Sections 11 through 27
5 of this act for a project shall revert to the severance tax
6 bonding fund no later than the following dates:

7 (a) for a project for which severance
8 tax bond proceeds were appropriated to match federal grants,
9 six months after completion of the project;

10 (b) for a project for which severance
11 tax bond proceeds were appropriated to purchase vehicles,
12 including emergency vehicles and other vehicles that require
13 special equipment; heavy equipment; books; educational
14 technology; or other equipment or furniture that is not related
15 to a more inclusive construction or renovation project, at the
16 end of the fiscal year two years following the fiscal year in
17 which the severance tax bond proceeds were made available for
18 the purchase; and

19 (c) for any other project for which
20 severance tax bonds were appropriated, within six months of
21 completion of the project, but no later than the end of fiscal
22 year 2021; and

23 (2) all remaining balances from the proceeds
24 of severance tax bonds appropriated for a project in Sections
25 11 through 27 of this act shall revert to the severance tax

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1 bonding fund three months after the latest reversion date
 2 specified for that type of project in Paragraph (1) of this
 3 subsection.

4 E. Except for appropriations to the capital program
 5 fund, money from severance tax bond proceeds provided pursuant
 6 to Sections 11 through 27 of this act shall not be used to pay
 7 indirect project costs.

8 F. Except for a project that was originally funded
 9 using a tax-exempt loan or bond issue, a project involving
 10 repayment of debt previously incurred shall be funded through
 11 the issuance of taxable severance tax bonds with a term that
 12 does not extend beyond the fiscal year in which they are
 13 issued.

14 G. For the purpose of this section, "unexpended
 15 balance" means the remainder of an appropriation after
 16 reserving for unpaid costs and expenses covered by binding
 17 written obligations to third parties.

18 SECTION 10. FUND APPROPRIATIONS--LIMITATIONS--
 19 REVERSIONS.--

20 A. For the purposes of Sections 28 through 32 of
 21 this act, except as otherwise specifically provided by law:

22 (1) the unexpended balance of an appropriation
 23 made from a fund shall revert no later than the following
 24 dates:

25 (a) for a project for which an

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1 appropriation was made to match federal grants, six months
2 after completion of the project;

3 (b) for a project for which an
4 appropriation was made to purchase vehicles, including
5 emergency vehicles and other vehicles that require special
6 equipment; heavy equipment; books; educational technology; or
7 other equipment or furniture that is not related to a more
8 inclusive construction or renovation project, at the end of the
9 fiscal year two years following the fiscal year in which the
10 appropriation was made for the purchase; and

11 (c) for any other project for which an
12 appropriation was made, within six months of completion of the
13 project, but no later than the end of fiscal year 2021; and

14 (2) all remaining balances from an
15 appropriation made for a project shall revert three months
16 after the latest reversion date specified for that type of
17 project in Paragraph (1) of this subsection.

18 B. Except for appropriations to the capital program
19 fund, money from appropriations made shall not be used to pay
20 indirect project costs.

21 C. Except as provided in Subsection D of this
22 section, the balance of an appropriation made from other state
23 funds shall revert in the time frame set forth in Subsection A
24 of this section to the originating fund.

25 D. The balance of an appropriation made to the

1 Indian affairs department or the aging and long-term services
 2 department for a project located on lands of an Indian nation,
 3 tribe or pueblo shall revert in the time frame set forth in
 4 Subsection A of this section to the tribal infrastructure
 5 project fund.

6 E. For the purpose of this section, "unexpended
 7 balance" means the remainder of an appropriation after
 8 reserving for unpaid costs and expenses covered by binding
 9 written obligations to third parties.

10 SECTION 11. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--
 11 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
 12 certification by the administrative office of the courts that
 13 the need exists for the issuance of the bonds, one million
 14 three hundred thousand dollars (\$1,300,000) is appropriated to
 15 the administrative office of the courts to purchase and install
 16 security equipment and a high density filing system and for
 17 related infrastructure improvements at magistrate courts and
 18 judicial district courts statewide.

19 SECTION 12. AGING AND LONG-TERM SERVICES DEPARTMENT
 20 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this
 21 act, upon certification by the aging and long-term services
 22 department that the need exists for the issuance of the bonds,
 23 the following amounts are appropriated to the aging and long-
 24 term services department for the following purposes:

- 25 1. twenty thousand seventy-five dollars (\$20,075)

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1 for improvements to the facility to address code compliance
2 issues at the Paradise Hills senior center in Albuquerque in
3 Bernalillo county;

4 2. twenty-six thousand five hundred dollars
5 (\$26,500) for improvements to the facility to address code
6 compliance issues at the Glenwood senior center in Glenwood in
7 Catron county;

8 3. thirty-one thousand dollars (\$31,000) for
9 improvements to the facility to address code compliance issues
10 at the Quemado senior center in Quemado in Catron county;

11 4. fifty-seven thousand six hundred eighteen
12 dollars (\$57,618) for improvements to the facility to address
13 code compliance issues at the Anthony community center in
14 Anthony in Dona Ana county;

15 5. eighty-seven thousand five hundred eighty-two
16 dollars (\$87,582) for improvements to the facility to address
17 code compliance issues at the Betty McKnight multipurpose
18 center in Chaparral in Dona Ana county;

19 6. seven thousand five hundred dollars (\$7,500) for
20 improvements to the facility to address code compliance issues
21 at the Puerto de Luna senior center in Santa Rosa in Guadalupe
22 county;

23 7. fifteen thousand dollars (\$15,000) for
24 improvements to the facility to address code compliance issues
25 at the Ena Mitchell senior center in Lordsburg in Hidalgo

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1 county;

2 8. one hundred forty-one thousand six hundred
3 ninety-six dollars (\$141,696) for improvements to the facility
4 to address code compliance issues at the Ruidoso community
5 center in Ruidoso in Lincoln county;

6 9. eighty-eight thousand dollars (\$88,000) to plan,
7 design and construct a parking lot at the Baca senior center in
8 the Baca chapter of the Navajo Nation in McKinley county;

9 10. forty thousand five hundred thirty-six dollars
10 (\$40,536) to purchase and equip vehicles for the Chichiltah
11 senior center in the Chichiltah chapter of the Navajo Nation in
12 McKinley county;

13 11. one hundred eighty-eight thousand nine hundred
14 ninety-six dollars (\$188,996) to plan, design and construct
15 improvements to the facility to address code compliance issues
16 at the Twin Lakes senior center in the Twin Lakes chapter of
17 the Navajo Nation in McKinley county;

18 12. seven thousand dollars (\$7,000) for
19 improvements to the facility to address code compliance issues
20 at the Beatrice Martinez senior center in Espanola in Rio
21 Arriba county;

22 13. five thousand two hundred dollars (\$5,200) for
23 improvements to the facility to address code compliance issues
24 at the Bloomfield senior center in Bloomfield in San Juan
25 county;

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1 14. five thousand twenty-four dollars (\$5,024) to
2 purchase and install meals equipment at the Bloomfield senior
3 center in Bloomfield in San Juan county;

4 15. ten thousand five hundred dollars (\$10,500) for
5 improvements to the facility to address code compliance issues
6 at the Corrales senior center in Corrales in Sandoval county;

7 16. seventy-six thousand six hundred sixty-one
8 dollars (\$76,661) to purchase and equip vehicles for the
9 Corrales senior center in Corrales in Sandoval county;

10 17. two hundred six thousand four hundred ninety-
11 six dollars (\$206,496) for improvements to the facility to
12 address code compliance issues at the Ken James senior center
13 in Truth or Consequences in Sierra county;

14 18. thirteen thousand eight hundred dollars
15 (\$13,800) for improvements to the facility to address code
16 compliance issues at the Magdalena senior center in Magdalena
17 in Socorro county;

18 19. eighty-four thousand five hundred twenty-four
19 dollars (\$84,524) for improvements to the facility to address
20 code compliance issues at the Socorro senior center in Socorro
21 in Socorro county;

22 20. sixteen thousand two hundred twenty-five
23 dollars (\$16,225) for improvements to the facility to address
24 code compliance issues at the Veguita senior center in Veguita
25 in Socorro county; and

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1 21. one hundred ninety-five thousand dollars
2 (\$195,000) for improvements to the facility to address code
3 compliance issues at the Amalia senior center in Amalia in Taos
4 county.

5 **SECTION 13. BERNALILLO COUNTY METROPOLITAN COURT**

6 PROJECT--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this
7 act, upon certification by the Bernalillo county metropolitan
8 court that the need exists for the issuance of the bonds, one
9 million dollars (\$1,000,000) is appropriated to the Bernalillo
10 county metropolitan court to plan, design, construct, furnish
11 and equip courtrooms, judges' chambers, jury rooms and public
12 and restricted access areas on the fourth floor of the
13 Bernalillo county metropolitan court courthouse in Albuquerque
14 in Bernalillo county.

15 **SECTION 14. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX**

16 BONDS.--Pursuant to Section 9 of this act, upon certification
17 by the facilities management division of the general services
18 department that the need exists for the issuance of the bonds,
19 the following amounts are appropriated to the capital program
20 fund for the following purposes:

21 1. one million dollars (\$1,000,000) to plan,
22 design, construct, renovate, furnish, purchase and install
23 equipment and for infrastructure improvements, including roofs,
24 heating, ventilation and air conditioning systems and interior
25 service windows, at the Albert Amador building in Espanola in

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1 Rio Arriba county, the Harriet Sammons building in Farmington
2 in San Juan county and the James Murray building in Hobbs in
3 Lea county;

4 2. seven hundred thousand dollars (\$700,000) to
5 plan, design, construct, renovate, furnish and equip commission
6 for the blind facilities in Bernalillo and Otero counties to
7 comply with the federal Americans with Disabilities Act of
8 1990;

9 3. two hundred forty-five thousand dollars
10 (\$245,000) to plan, design, construct, equip, renovate, upgrade
11 and furnish a facility or to expand an existing state-owned
12 site to house the department of health vital records and health
13 statistics bureau in Santa Fe in Santa Fe county;

14 4. four million dollars (\$4,000,000) to plan,
15 design, construct, renovate, furnish, equip, repair, purchase
16 and install equipment and improve infrastructure, including
17 roofs, security upgrades and replacement of heating,
18 ventilation and air conditioning systems, at correctional
19 facilities statewide;

20 5. nine hundred thousand dollars (\$900,000) to
21 plan, design, construct, renovate, equip, furnish, purchase and
22 install infrastructure improvements and equipment, including
23 security system upgrades and servers, security reception
24 stations, lighting, kitchen upgrades and heating, ventilation
25 and air conditioning systems, at children, youth and families

1 department juvenile facilities statewide;

2 6. two million five hundred thousand dollars
3 (\$2,500,000) to plan, design, construct, furnish, equip,
4 purchase and install equipment and for facility upgrades,
5 including fire alarm and security surveillance systems, at
6 department of health facilities statewide, including the Fort
7 Bayard medical center in Grant county;

8 7. three hundred thousand dollars (\$300,000) to
9 plan, design, renovate, furnish and purchase and install
10 equipment, including heavy equipment, and for demolition and
11 debris removal and to replace and upgrade mechanical,
12 electrical and other infrastructure systems campus-wide for the
13 department of health at the old Fort Bayard property in Grant
14 county;

15 8. one million two hundred thousand dollars
16 (\$1,200,000) to plan, design, construct, improve, renovate,
17 remediate, furnish and equip facilities, including
18 infrastructure upgrades, at state-owned facilities statewide;
19 and

20 9. five hundred thousand dollars (\$500,000) to
21 plan, design, construct, renovate, furnish, purchase and
22 install equipment at offices of the workforce solutions
23 department statewide, including making other improvements to
24 address building code compliance.

25 SECTION 15. CULTURAL AFFAIRS DEPARTMENT PROJECT--

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1 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
2 certification by the cultural affairs department that the need
3 exists for the issuance of the bonds, one million three hundred
4 thousand dollars (\$1,300,000) is appropriated to the cultural
5 affairs department to plan, design, construct, renovate,
6 furnish, equip and make other improvements to sites, facilities
7 and exhibits at museums, monuments, historic sites and cultural
8 facilities statewide.

9 SECTION 16. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION
10 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this
11 act, upon certification by the Cumbres and Toltec scenic
12 railroad commission that the need exists for the issuance of
13 the bonds, the following amounts are appropriated to the
14 Cumbres and Toltec scenic railroad commission for the following
15 purposes:

16 1. two hundred thousand dollars (\$200,000) for
17 track rehabilitation and related infrastructure improvements,
18 including locomotive and boiler upgrades to comply with federal
19 railroad administration standards, for the Cumbres and Toltec
20 scenic railroad operating between New Mexico and Colorado; and

21 2. one hundred thousand dollars (\$100,000) for
22 improvements to passenger cars for the Cumbres and Toltec
23 scenic railroad operating between New Mexico and Colorado.

24 SECTION 17. SECOND JUDICIAL DISTRICT ATTORNEY PROJECT--
25 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon

1 certification by the second judicial district attorney that the
 2 need exists for the issuance of the bonds, five hundred
 3 thousand dollars (\$500,000) is appropriated to the second
 4 judicial district attorney to purchase and install
 5 communications, scientific and analytical equipment and
 6 information technology, including related equipment, furniture
 7 and infrastructure, in the office of the second judicial
 8 district attorney in Albuquerque in Bernalillo county.

9 **SECTION 18. ENERGY, MINERALS AND NATURAL RESOURCES**

10 DEPARTMENT PROJECT--SEVERANCE TAX BONDS.--Pursuant to Section 9
 11 of this act, upon certification by the energy, minerals and
 12 natural resources department that the need exists for the
 13 issuance of the bonds, one million dollars (\$1,000,000) is
 14 appropriated to the energy, minerals and natural resources
 15 department to plan, design and construct watershed restoration
 16 and community wildfire protection improvements, including
 17 forest thinning, statewide.

18 **SECTION 19. OFFICE OF THE STATE ENGINEER PROJECT--**

19 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
 20 certification by the office of the state engineer that the need
 21 exists for the issuance of the bonds, one million dollars
 22 (\$1,000,000) is appropriated to the office of the state
 23 engineer to plan, design, construct, rehabilitate and make
 24 improvements to phase 2 at Morphy lake dam in Mora county.

25 **SECTION 20. STATE FAIR COMMISSION PROJECT--SEVERANCE TAX**

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1 BONDS.--Pursuant to Section 9 of this act, upon certification
2 by the state fair commission that the need exists for the
3 issuance of the bonds, five hundred thousand dollars (\$500,000)
4 is appropriated to the state fair commission for infrastructure
5 improvements and to plan, design, construct and upgrade
6 electrical systems at the New Mexico state fairgrounds in
7 Albuquerque in Bernalillo county.

8 SECTION 21. INDIAN AFFAIRS DEPARTMENT PROJECT--SEVERANCE
9 TAX BONDS.--Pursuant to Section 9 of this act, upon
10 certification by the Indian affairs department that the need
11 exists for the issuance of the bonds, five hundred thousand
12 dollars (\$500,000) is appropriated to the Indian affairs
13 department to plan, design and construct an access lane and
14 other road improvements, including ingress and egress, curbs
15 and gutters and storm drainage, at the Santa Fe Indian school
16 in Santa Fe in Santa Fe county.

17 SECTION 22. DEPARTMENT OF INFORMATION TECHNOLOGY
18 PROJECT--SEVERANCE TAX BONDS.--Pursuant to Section 9 of this
19 act, upon certification by the department of information
20 technology that the need exists for the issuance of the bonds,
21 seven hundred seven thousand dollars (\$707,000) is appropriated
22 to the department of information technology to plan, design,
23 purchase, install and implement infrastructure to stabilize and
24 modernize public safety radio communications statewide.

25 SECTION 23. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT

1 OF FINANCE AND ADMINISTRATION PROJECT--SEVERANCE TAX BONDS.--
2 Pursuant to Section 9 of this act, upon certification by the
3 local government division of the department of finance and
4 administration that the need exists for the issuance of the
5 bonds, five hundred thousand dollars (\$500,000) is appropriated
6 to the local government division of the department of finance
7 and administration to match city funding for the purchase of
8 sexual assault evidence kits for the crime laboratory in
9 Albuquerque in Bernalillo county.

10 SECTION 24. PUBLIC REGULATION COMMISSION PROJECT--
11 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
12 certification by the public regulation commission that the need
13 exists for the issuance of the bonds, five hundred thousand
14 dollars (\$500,000) is appropriated to the public regulation
15 commission to plan, design and construct a firefighter training
16 burn building at the firefighter training academy in Socorro in
17 Socorro county.

18 SECTION 25. OFFICE OF THE SECRETARY OF STATE PROJECT--
19 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
20 certification by the office of the secretary of state that the
21 need exists for the issuance of the bonds, nine hundred fifty
22 thousand dollars (\$950,000) is appropriated to the office of
23 the secretary of state to plan, design and implement a
24 modernized campaign finance disclosure and tracking system
25 statewide.

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1 SECTION 26. SUPREME COURT BUILDING COMMISSION PROJECT--
2 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
3 certification by the supreme court building commission that the
4 need exists for the issuance of the bonds, one hundred twenty-
5 three thousand dollars (\$123,000) is appropriated to the
6 supreme court building commission to plan, design, construct
7 and renovate facilities, including abatement and remediation of
8 the exterior courtyard stucco, at the supreme court building in
9 Santa Fe in Santa Fe county.

10 SECTION 27. DEPARTMENT OF TRANSPORTATION PROJECTS--
11 SEVERANCE TAX BONDS.--Pursuant to Section 9 of this act, upon
12 certification by the department of transportation that the need
13 exists for the issuance of the bonds, the following amounts are
14 appropriated to the department of transportation for the
15 following purposes:

16 1. two million dollars (\$2,000,000) to the state
17 road fund to plan, design, construct and make safety
18 improvements to roads statewide;

19 2. six hundred thousand dollars (\$600,000) to
20 acquire rights of way and to plan, design, construct and make
21 improvements for runways at the Dona Ana county international
22 jetport at Santa Teresa in Dona Ana county; and

23 3. seven hundred fifty thousand dollars (\$750,000)
24 to plan, design, construct, renovate and expand the Santa Fe
25 airport terminal and facilities, including runways, taxiways,

1 roads, parking lots and aircraft parking ramps, in Santa Fe
2 county.

3 **SECTION 28. DEPARTMENT OF GAME AND FISH PROJECT--**
4 **APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME**
5 **PROTECTION FUND.--**One million dollars (\$1,000,000) is
6 appropriated from the big game enhancement account of the game
7 protection fund to the department of game and fish for
8 expenditure in fiscal years 2017 through 2021, unless otherwise
9 provided in Section 10 of this act, to improve, restore and
10 develop state-owned wildlife and waterfowl management areas to
11 prevent catastrophic wildfires and to improve watershed health
12 statewide.

13 **SECTION 29. DEPARTMENT OF GAME AND FISH PROJECT--**
14 **APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND.--**Six
15 hundred thousand dollars (\$600,000) is appropriated from the
16 game and fish bond retirement fund to the department of game
17 and fish for expenditure in fiscal years 2017 through 2021,
18 unless otherwise provided in Section 10 of this act, to
19 renovate and make improvements, including the replacement of
20 water lines, at the Glenwood and Red River hatcheries in Grant
21 and Taos counties.

22 **SECTION 30. DEPARTMENT OF GAME AND FISH PROJECTS--**
23 **APPROPRIATIONS FROM THE GAME PROTECTION FUND.--**The following
24 amounts are appropriated from the game protection fund to the
25 department of game and fish for expenditure in fiscal years

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1 2017 through 2021, unless otherwise provided in Section 10 of
2 this act, for the following purposes:

3 1. three million dollars (\$3,000,000) to renovate
4 and make improvements, including the replacement of water
5 lines, at the Glenwood and Red River hatcheries in Grant and
6 Taos counties; and

7 2. five hundred thousand dollars (\$500,000) for
8 wildlife and riparian habitat restoration on the San Juan river
9 quality waters in San Juan county.

10 SECTION 31. DEPARTMENT OF GAME AND FISH PROJECT--
11 APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--

12 Notwithstanding the provisions of Section 17-4-34 NMSA 1978 to
13 the contrary, one million dollars (\$1,000,000) is appropriated
14 from the habitat management fund to the department of game and
15 fish for expenditure in fiscal years 2017 through 2021, unless
16 otherwise provided in Section 10 of this act, to improve,
17 restore and maintain state-owned wildlife and waterfowl
18 management areas to prevent catastrophic wildfires and to
19 improve watershed health statewide.

20 SECTION 32. PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL
21 PROJECT--APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY
22 FUND.--Four million dollars (\$4,000,000) is appropriated from
23 the public school capital outlay fund to the public school
24 capital outlay council for expenditure in fiscal years 2017
25 through 2021, unless otherwise provided in Section 10 of this

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1 3act, for capital asset deficiencies and infrastructure
2 improvements for the Zuni public school district in McKinley
3 county, the Gallup-McKinley county school district in McKinley
4 county and the Grants-Cibola county school district in Cibola
5 county contingent upon the approval of the public school
6 capital outlay council.

7 SECTION 33. PROJECT SCOPE--EXPENDITURES.--If an
8 appropriation for a project authorized in Sections 11 through
9 32 of this act is not sufficient to complete all the purposes
10 specified, the appropriation may be expended for any portion of
11 the purposes specified in the appropriation. Expenditures
12 shall not be made for purposes other than those specified in
13 the appropriation.

14 SECTION 34. ART IN PUBLIC PLACES.--Pursuant to Section
15 13-4A-4 NMSA 1978 and where applicable, the appropriations made
16 in Sections 11 through 32 of this act include one percent for
17 the art in public places fund.

18 SECTION 35. REPEAL.--Laws 2017, Chapter 3, Section 2 is
19 repealed.

20 SECTION 36. CONTINGENCY.--The enactment of Sections 1
21 through 4 and 6 of this act is contingent on the enactment of
22 Sections 8 and 35 of this act.

23 SECTION 37. EFFECTIVE DATE.--The effective date of
24 Sections 1 through 4 and 6 of this act is seven days after
25 Sections 8 and 35 of this act take effect.

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